



Economic Displacement as a Fair Housing Issue

Jesse Hamilton McCoy II



What Happens During an Eviction

- Rental markets exist largely because of historic obstacles creating barriers to ownership
- Barriers for home ownership
 - Low Wages/Insufficient Savings
 - Increasing Costs of Housing Supply
- If you can't buy, RENT.
- Rent does not provide permanence
- Term of a rent is typically based on the period of a lease

How Did We Get Here?

- Perpetual renting class created from a combo of blatant and INSTITUTIONAL RACISM
- Redlining (Racism)
- Restrictive Covenants/Racial Zoning (Racism)
 - *Shelley v. Kraemer* (1948)
- Predatory Lending Practices (Racism)
- Urban Renewal (Self-inflicted issues rooted in racism)
 - Increased demand for public housing
- Highway 147/Durham Freeway (Potential Racism)
 - Deprived Homeowners of their land permanently.
- The Economy
 - Rental prices are direct functions of supply and demand.
 - In Durham, demand is high, supply is low, thus prices are skyrocketing.
 - Wages have been largely stagnant, but rent has steadily increased over the past 10 years.



Who is Being Evicted?

- No empirical research has been done to determine this in North Carolina, largely because the demographic information is not listed on the Complaint.
 - No way to predict who is going to be targets of eviction until a late notice is provided by the Landlord, or until the court papers are served and the person self-identifies.
- Eviction Lab found that nine of the 10 highest-evicting large U.S. cities were not only located in the South but also had populations that were **at least 30 percent Black**.
- Moreover, the top 25 entries in its ranking of mid-sized cities experienced an eviction rate at least four times higher than the national average of 2.3 percent.
 - <https://www.pewtrusts.org/en/research-and-analysis/blogs/stateline/2019/01/18/black-southerners-are-bearing-the-brunt-of-americas-eviction-epidemic>
- Almost all folks being evicted are of limited financial means. Certain economic setbacks are commonly referenced:
 - Loss of Employment
 - Unexpected Medical Illness (and related bills)
 - Vehicle Breakdown/Repossession
 - **NONE OF THESE REASONS ARE ADEQUATE LEGAL DEFENSES TO AN EVICTION ACTION!!!**



Durham County Eviction Diversion Program

- Partnership between Durham County Department of Social Services (DSS), Legal Aid of North Carolina, Inc. and Duke Civil Justice Clinic.
- Results after Year One
 - Avoided Eviction Judgments in 79% of the cases we've provided representation for.
 - Kept tenants in their homes in 67% of the cases we've provided representation for.
 - The difference between the percentages encompasses negotiated move outs.
- Began with a staff of 1 full time attorney at LANC and 2 part-time attorneys.
- Initially handled roughly 50 cases per month (well above our capacity, but not even denting the 900/month filed)

Contact Information

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